IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CRIMINAL APPLICATION NO. 3067 OF 2007

Ibrahim Fakir Mohammed Pawaskar. ... Applicant.

V/s.

The State of Maharashtra. ... Respondent.

M.H.Solkar for the applicant.

Ms.M.H.Mhatre, APP for the State.

CORAM: V.C.DAGA, J.

DATED: 27th September 2007.

P.C.:

. Heard learned counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking bail in connection with CR.No.I-218/2007 registered with Thane Nagar Police Station for the offences punishable under sections 498-A, 306 read with section 34 of Indian Penal Code. The applicant was arrested on 21st July, 2007 and was, immediately, remanded to judicial custody.

3. The learned counsel for the applicant submits that in the F.I.R. no positive role is assigned to the applicant, who is father-in-law of deceased. He,

thus, submits that in absence of any material on record, the applicant would be entitled to bail. He is in jail since 21st July, 2007. So far as present applicant is concerned, investigation is complete. The learned A.P.P., appearing for the State, though opposed for grant of bail to the applicant, however, could not justify his continuation in jail. In the above view of the matter, I am inclined to grant bail to the applicant, subject to the following conditions:

(a) The applicant, arrested in connection with CR.No.I-218/2007 registered with Thane Nagar Police Station, Thane shall be enlarged on bail in the sum of Rs.10,000/- with one surety to make up the said amount.

(b) The applicant shall report to the concerned Police Station once in a week, i.e. on every Friday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of

trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly, make any inducement or threat or pressurise any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observation made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

4. Application stands disposed of accordingly.

JUDGE